

REMARKS

Summary of Office Action

In the Office Action of August 18, 2006, the Examiner objected to claims 1, 10 and 36 for certain informalities with respect to these claims. Applicant has amended each of these claims as suggested by the Examiner to overcome the objections thereto.

The Examiner also rejected claims 10, 37-40 under 35 U.S.C. §103(a) as being unpatentable over Kubota (JP 01309044A2) in view of Black, et al. (U.S. Patent Application Publication No. 2003/0125616A1).

The Examiner further indicated that claims 1, 4, 5, 16, 18, 20, 21, 36, 41 and 42 would be allowable if rewritten to overcome the objections to the claims from which they depend. Applicant appreciates this indication.

Claim Rejections under 35 U.S.C. §103(a)

The Examiner rejected claim 10 under 35 U.S.C. §103(a) as being unpatentable over Kubota in view of Black et al. stating that “Kubota fails to teach an arrangement, wherein the first detector is located on an outer surface of the housing and wherein the first detector in the form of a sticker than is adhered to the surface of the cassette.” The Examiner further states that “Black teaches an x-ray system arrangement, wherein the cost-effective detector patches (having adhesive means) that detect a radiation exposure are located onto the skin of a patient” and that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the adhesive detector patches as suggested by Black in the apparatus of Kubota since such a modification would provide [a] user with capabilities of cost-effectively detecting the radiation exposure with the detector patches that are addressable on the outer surface of the housing of the radiation exposure recording device (capable of detecting the radiation exposure at various different portions of the housing) while being minimally obtrusive to the radiation exposure recording medium and operate without the use of externally-extending power cords or lead wires.” Applicant respectfully disagrees that such modification would be an obvious variant of the combination of the disclosure of Kubota in view of Black et al.

Claim 10 calls for, in part, a radiation exposure recording device having a first detector that is located on an outer surface of the housing wherein the detector is in the form of at least one of a sticker, a label and a card that is adhered to the surface of the cassette. Applicant does not necessarily disagree that Black et al. discloses a plurality of detectors that are adhered to a patient. However, the combination of Black et al. with the disclosure of Kubota, following the teaching of these references, would result in a film holder like that of Kubota with an internal detector also having detectors adhered to a patient being monitored. This is because Black's monitors are intended to measure exposure to the patient, something that cannot be accomplished if the detectors are moved

to the film holder as suggested by the Examiner. As stated in Black et al., "as shown in Fig. 1, a plurality of sensor patches 30 are located both on the front and back of the patient 50." Black et al. further states "referring to Fig. 2, operations that can be carried out to monitor the radiation dose that is delivered to a patient undergoing radiation therapy are illustrated." Page 4, paragraph [0061], emphasis added.

A person of ordinary skill in the art would not be motivated to add to a removable radiation detector to the outside of the radiation exposure recording device of Kubota because Kubota discloses a device that already includes a radiation detector inside the recording device. Nor is it clear that the construction of the detectors of Black et al., intended for monitoring radiation treatment of cancer and the like, would be suitable for monitoring film exposure used for imaging. The Examiner suggests that externally adhered detectors would be superior for a film holder, but this was not recognized by either of Kubota or Black et al. Simply, the only suggestion for detecting the radiation exposure of a radiation exposure-recording device with a detector that is located on an outer surface of the radiation exposure-recording device is found in Applicant's own disclosure.

Accordingly, Applicant believes that which is called for in claim 10, and the claims that depend therefrom, are patentably distinct over the combination of Kubota and Black et al.

Applicant appreciates the Examiner's consideration of the amendments and remarks presented herein and believes that claims 1, 4-5, 10, 16, 18, 20-21, and 36-42 are in condition for allowance and patentably distinct over the art of record, at least for the reasons provided above. Therefore, Applicant respectfully requests a Notice of Allowance of these claims. Although no fees are believed payable with this submission, the Office is hereby authorized to charge deposit account 50-1170 for any fees which may be deemed necessary. The Examiner is further cordially invited to contact the undersigned, should any informal matters remain which would prevent the allowance of the above-captioned matter.

Respectfully submitted,

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